

REMARKS

Claims 1-14 are pending. Claims 9-14 are withdrawn from further consideration as being drawn to a non-elected species. Claims 1-8 have been rejected under 35 U.S.C. §112, second paragraph. Claims 1-8 have been rejected under 35 U.S.C. §102. Claims 1-3 have been amended. Support for the amendment to claims is found in paragraphs 19 and 22 as well as in Figures 2 and 3. Claims 1-8 remain for consideration upon entry of the present Amendment. No new matter has been added.

The Examiner has objected to the drawings because they include typographical errors. In particular, the Examiner alleges that the reference numeral "40" in Figure 2 should be "42." The Examiner has also objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) as allegedly not including at least one reference sign mentioned in the description. In particular, the Examiner alleges that the drawings do not include a reference numeral "16" as indicated on page 3 of the description. Applicants have corrected the alleged deficiencies by changing the indicated numeral "40" in Figure 1 to "42." Applicants have also added the numeral "16" to Figures 1-5 to properly indicate the handle 16. Accordingly, Applicants submit three replacement drawing sheets. Applicants, therefore, respectfully request that the Examiner withdraw the objections to the drawings.

The Examiner has objected to the disclosure because of alleged various informalities. In particular, the Examiner alleges that on page 6, line 13, (paragraph 22), the phrase "pivot ends 38, 40" should be replaced with "pivot ends 44, 50." The Examiner has required appropriate correction. Applicants have accordingly corrected the alleged informality as indicated above. Applicants, therefore, respectfully request that the Examiner withdraw the objection to the specification.

Claims 1-8 have been rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. In particular, the Examiner alleges that in claim 1, the phrases "the razor cartridge is selectively attached to the first link"

and “the shaving aid body is selectively attached to the second link” are unclear and that it is uncertain what structure allows the first link and the razor cartridge and what structure allows the second link and the shaving aid body to be selectively attached.

Claim 1 has been amended by removing the word “selectively” in the appropriate places. In view of the amendment, Applicants respectfully assert that claim 1 (and claims 2-8 which depend from claim 1) is definite within the meaning of 35 U.S.C. §112, second paragraph. Applicants, therefore, respectfully request that the Examiner withdraw the rejection of claims 1-8 based on 35 U.S.C. §112, second paragraph.

Claims 1-8 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application No. 2003/0200660 to Pennella et al. (hereinafter “Pennella”). Claim 1 has been amended as indicated above. In view of the amendment, reconsideration of claims 1-8 is respectfully requested.

Claim 1 of the present application recites a razor assembly comprising a razor cartridge that includes one or more razor blades; a shaving aid body; a handle; and a linkage having at least one first link, at least one second link, and at least one pivot link. The razor cartridge is attached to the first link, and the shaving aid body is attached to the second link, and the first link and the second link are each pivotally attached to the handle. The pivot link is pivotally attached to the handle at a first point, and to the first link at a second point, and to the second link at a third point, the attachments being in a manner such that the razor cartridge and the shaving aid body are moveable relative to the handle, and movement of one of the razor cartridge and the shaving aid body in a first direction causes the other of the razor cartridge and the shaving aid body to move in a second direction substantially opposite the first direction.

Pennella discloses a razor assembly 10 that includes a holder 220, a shaving aid body 14, a base 222, a handle 16, and a linkage 18 mounted within the handle. A razor cartridge 12 is attached to the holder 220. (Pennella, paragraph 97.) The linkage 18 includes at least one linkage member 228, 230 extending between the shaving aid body 14 and the razor cartridge 12. Each linkage member 228, 230 includes a first leg 232, a second leg 234, and a center link 236 extending between and being pivotally attached to the first leg 232 and the second leg 234. The first leg 232 of each linkage member 228,

230 is attached to the base 222 and is thereby indirectly attached to the shaving aid body 14. The second leg 234 of each linkage member 228, 230 is attached to the holder 220 and is thereby indirectly attached to the razor cartridge 12. The first leg 232 and the second leg 234 could, alternatively, be attached directly to the shaving aid body 14 and the razor cartridge 12, respectively. (Pennella, paragraph 98.)

Pennella fails to disclose, teach, or suggest the pivot link being pivotally attached to the handle at a first point, and to the first link at a second point, and to the second link at a third point, as recited in amended claim 1. In particular, Pennella discloses the attachment point for the pivot link (referred to in Pennella as “the center link 236”) to the handle, to the first link (referred to as “the first leg 232”), and to the second link (referred to as “the second leg 234”) as being at one point, namely the center link 236. A razor assembly having first and second links respectively attached to a shaving aid body and a razor cartridge and also having a pivot link attached to a handle and to the links at three discrete points, as recited in claim 1, is patentably distinct from a razor assembly in which two legs and a center link are attached to a handle at one point, as in Penella.

To anticipate a claim under 35 U.S.C. §102, a single reference must disclose each and every element of the claimed invention. Absence from the reference of any claimed element negates anticipation. Because Pennella fails to disclose, teach, or suggest the pivot link being pivotally attached to the handle at a first point, and to the first link at a second point, and to the second link at a third point, as recited in amended claim 1, claim 1 is not anticipated by the Pennella reference. For at least this reason, claim 1 is allowable, and Applicants respectfully request that the Examiner withdraw the rejection of claim 1.


Dependent claims, by definition, further define the subject matter of the independent claims from which they depend. Because claims 2-8 depend from claim 1, claims 2-8 add recitations that further define the subject matter of independent claim 1. Because claim 1 is believed to be allowable for at least the reasons presented above, claims 2-8 are therefore also believed to be allowable. Consequently, Applicants respectfully request that the rejections of claims 2-8 be withdrawn.

Applicants believe that the foregoing amendments and remarks are fully responsive to the Office Action and that the claims herein are allowable. In view of the foregoing points that distinguish Applicants' invention from those of the prior art and render Applicants' invention novel, Applicants respectfully request that the Examiner reconsider the present application, remove the rejections, and allow the application to issue.

If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is invited to telephone the undersigned.

Applicants believe that no fees are due with the submission of this Amendment. If any charges are incurred with respect to this Amendment, they may be charged to Deposit Account No. 503342 maintained by Applicants' attorneys.

Respectfully submitted,

By 
Richard R. Michaud
Registration No. 40,088
Attorney for Applicants

Michaud-Duffy Group LLP
306 Industrial Park Road, Suite 206
Middletown, CT 06457-1532
Tel: (860) 632-7200
Fax: (860) 632-8269